

4/4/00 VACATION OF W 78TH ST CUL DE SAC
TH 169/I 494 CITY OF EDINA

**RESOLUTION VACATING UTILITY AND DRAINAGE
EASEMENTS AND PUBLIC STREET RIGHT-OF-WAY**

City of Edina

WHEREAS, a motion of the City Council, on the 6th day of March 2000, fixed a date for a public hearing on a proposed street vacation; and

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was held on the 4th day of April, 2000, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said public street and easement vacation be made; and

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following public street right-of-way, and utility and drainage easements are hereby vacated effective as of April 4, 2000:

All drainage and utility easements, created by the plat of Braewood Park, which are contained within the following: Lot 1, except the Easterly 175 feet thereof, Block 1, Braewood Park;

Part of that certain drainage and utility easement, created by Document No. 1456628 of record in Hennepin County, Minnesota, being the West 10 feet of the East 185 feet of Lot 1, Block 1, Braewood Park;

All of 78th Street, as dedicated in Braewood Park, according to the plat thereof of record in Hennepin County, Minnesota, which lies northerly of the following described line:

Commencing at the southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along a southerly line of said Lot, and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to the intersection of said southerly line with the easterly line of said 78th Street, being the point of beginning of the line to be described; then South 88 degrees 10 minutes 30 seconds West 150.00 feet to the intersection of the westerly line of said 78th Street with the southerly line of said Lot, and there terminating.

3316478

RESOLUTION NO. 2000-37

Y900

BE IT FURTHER RESOLVED that said vacation does not affect, and there are continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

The authority of Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

ATTEST:

City Clerk

Mayor

STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF EDINA

)
)SS
)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of April 4, 2000, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 8th day of Sept, 2000

City Clerk

3316478

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762469

3316478

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FIELD ON 1/4c

SEP 20 2000

Michael J. Gentry 11 AM

REGISTRAR OF TITLES

~~BY: S. J. Gentry~~ DEPUTY

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OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY, MINNESOTA
CERTIFIED FIELD ON 1/4

SEP 20 2000

Michael J. Conway 11 AM
REGISTRAR OF TITLES
BY *[Signature]* DEPUTY

16-
4.50

**NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF EASEMENT
FOR UTILITY AND DRAINAGE AND PUBLIC STREET RIGHT-OF-WAY
PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on April 4, 2000, adopted a Resolution Vacating the Easement for Drainage and Utility Purposes after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility and drainage and public street right-of-way purposes:

All drainage and utility easements, created by the plat of Braewood Park, which are contained within the following: Lot 1, except the Easterly 175 feet thereof, Block 1, Braewood Park

Part of that certain drainage and utility easement, created by Document No. 1456628 of record in Hennepin County, Minnesota, being the West 10 feet of the East 185 feet of Lot 1, Block 1, Braewood Park;

All of 78th Street, as dedicated in Braewood Park, according to the plat thereof of record in Hennepin County, Minnesota, which lies northerly of the following described line:

Commencing at the southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along a southerly line of said Lot, and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to the intersection of said southerly line with the easterly line of said 78th Street, being the point of beginning of the line to be described; then South 88 degrees 10 minutes 30 seconds West 150.00 feet to the intersection of the westerly line of said 78th Street with the southerly line of said Lot, and there terminating

Said vacation did not affect, and there was continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

The time of completion of proceedings and the effective date of said vacation is 4th day of April, 2000.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

[Signature]
City Clerk

Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 14th day of September, 2000.

This document was drafted by:
City of Edina
4801 West 50th Street
Edina, MN 55424

[Signature]
Notary Public
DARLENE R. WALLIN
NOTARY PUBLIC-MINNESOTA
My Commission Expires Jan. 31, 2005

September 14, 2000

Mr. Mike Broich
Dorsey & Whitney Law Firm
220 South 6th Street
Minneapolis, MN 55402

Subject: Notice of Completion of Proceedings
Vacation of Easement for Utility and Drainage - Braewood Park

Dear Mike:

Enclosed are two certified copies of the Notice of Completion of Proceedings for the above referenced utility and drainage easement granted by the Edina City Council on April 4, 2000.

Please have the Notice of Completion entered into the transfer record of the County Auditor and filed with the County Recorder and then return the recorded document to me.

Sincerely,

Debra A. Mangen
City Clerk

Enclosures: (2) Notices of Completion of Proceedings
(3) Signed and Certified Resolutions



City Of Edina, Minnesota
DEPARTMENT OF ADMINISTRATION
4801 West 50th Street, Edina, Minnesota 55424-1394
Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

PUBLIC RIGHT OF WAY VACATION APPLICATION

Applicant City of Edina

Print Name

Address 4801 West 50th Street, Edina, MN 55424

Street

City/State

Zip

Telephone No. 927-8861

Fax No. 826-0390

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way pursuant to M.S. 412.851 and Edina Code Section 820:



Street



Alley



Utility Easement



Drainage Easement



Other _____

Legal description of the area proposed to be vacated:

As per attached description from John V. Chaffee Clark Engineering

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? ☐ Yes ☐ No

Please note if the area requested to be vacated terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition is served by certified mail upon the commissioner of natural resources by the City of Edina thirty days before any Council action.

- *Attach a copy of a scaled drawing showing in full detail the area proposed to be vacated.*
- *Include the vacation fee of \$310.00 with your application.*

Date Initiated 3-15-00

Signature *Robert C. Feyler*

(Official Publication)
CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING ON
VACATION OF DRAINAGE AND UTILITY
EASEMENTS AND PUBLIC STREET RIGHT OF WAY
IN THE CITY OF EDINA
HENNEPIN COUNTY MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on April 4, 2000, at 7:00 P.M. in the Council Chambers at 4801 West 50th Street for a public hearing for the proposed vacation of the following described public street right of way and utility and drainage easements:

All drainage and utility easements, created by the plat of Braewood Park, which are contained within the following: Lot 1, except the Easterly 175 feet thereof, Block 1, Braewood Park

Part of that certain drainage and utility easement, created by Document No. 1456628 of record in Hennepin County, Minnesota, being the West 10 feet of the East 185 feet of Lot 1, Block 1, Braewood Park;

All of 78th Street, as dedicated in Braewood Park, according to the plat thereof of record in Hennepin County, Minnesota, which lies northerly of the following described line:

Commencing at the southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along *the* a southerly line of said Lot and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to the intersection of said southerly line with the easterly line of said 78th Street, being the point of beginning of the line to be described; then South 88 degrees 10 minutes 30 seconds West 150.00 feet to the intersection of the westerly line of said 78th Street with the southerly line of said Lot, and there terminating

All persons who desire to be heard with respect to the question of whether or not the above proposed street right of way and utility and drainage vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

Dated March 7, 2000

Please publish in the Edina Sun Current, Wednesday, March 22, 2000.
Send two affidavits of publication

CLARKENGINEERING
CORPORATION

CEC # C99155

FACSIMILE
LETTER

FROM:

John V. Chaffee

Clark Engineering Corporation

621 Lilac Drive North

Minneapolis, Minnesota 55422-4674

(612) 545-9196

Fax: (612) 525-1666

TO:

Craig Larson

City of Edina

Fax: 952-826-0390

PROJECT:

Braewood Park Second Addition.

LOCATION:

TH 169 & I-494

DATE: Mar. 1, 2000

TIME:

TOTAL NO. OF PAGES INCLUDING THIS PAGE 6 ORIGINAL TO FOLLOW IN MAIL on requestIF YOU DO NOT RECEIVE ALL THE PAGES OR IF THE TRANSMISSION IS NOT LEGIBLE,
PLEASE CALL BACK AS SOON AS POSSIBLE.

REMARKS:

Mr. Larson—

As discussed previously, we propose that all existing City easements on the above site be vacated. These consist of the following:

- Drainage and utility easements created by the plat of Braewood Park contained within the site, which is described as: Lot 1, except the Easterly 175 feet thereof, Braewood Park.
- Sidewalk and Bikeway Easement created by Doc. No. 1437667. — done by Bloomington.
- Drainage and Utility Easement created by Doc. No. 1456628.

These easements generally do not fit the new site configuration. It is proposed to dedicate new drainage and utility easements in platting the site. If a new sidewalk and bikeway easement is needed, that will be dedicated by a separate document.

Legal descriptions for these vacations and for the proposed vacation of the 78th Street cul-de-sac are attached, with sketches showing their locations.

Thanks for your assistance with this matter. Please call if any questions.

COPIES TO:

SIGNED:

John V. Chaffee

EASEMENT VACATIONS

169/I-694 Office Tower Site
Braewood Park Second Addition

1. All drainage and utility easements, created by the plat of Braewood Park, which are contained within the following:

Lot 1, except the Easterly 175 feet thereof, Block 1, Braewood Park

2. Part of that certain drainage and utility easement, created by Document No. 1456628, of record in Hennepin County, Minnesota, being the West 10 feet of the East 185 feet of Lot 1, Block 1, Braewood Park.

- ~~3.~~ Part of that certain sidewalk and bikeway easement, created by Document No. 1437667, of record in Hennepin County, Minnesota, being a 15-foot wide strip of land lying to the right of the following described line:

Commencing at the Southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along a southerly line of said Lot, and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to an intersection with the easterly line of 78th Street; thence, along said easterly line, North 1 degree 49 minutes 30 seconds West 15.00 feet to the point of beginning of the line to be described; thence continuing along said easterly line North 1 degree 49 minutes 30 seconds West 60.00 feet to a point of curvature therein; thence, along the northerly line of said 78th Street and along a curve, concave southerly and having a radius of 75.00 feet and a central angle of 180 degrees 00 minutes 00 seconds, an arc distance of 235.62 feet to a point of tangency; thence, along the westerly line of said 78th Street, South 1 degree 49 minutes 30 seconds East 75.00 feet; thence, along the southerly line of said Lot, South 88 degrees 10 minutes 31 seconds West 48.39 feet to a point of nontangency; thence continuing along said southerly line and along a curve, concave northerly and having a radius of 960.00 feet, a central angle of 21 degrees 27 minutes 30 seconds and a chord of 357.44 feet bearing North 66 degrees 11 minutes 06 seconds West, an arc distance of 359.54 feet to a point of tangency; thence continuing along said southerly line North 55 degrees 27 minutes 22 seconds West 589.99 feet to a point of curvature; thence continuing along said southerly line and along a curve, concave northerly and having a radius of 960.00 feet and a central angle of 6 degrees 14 minutes 56 seconds, an arc distance of 104.70 feet to the Southwest corner of said Lot, and there terminating;

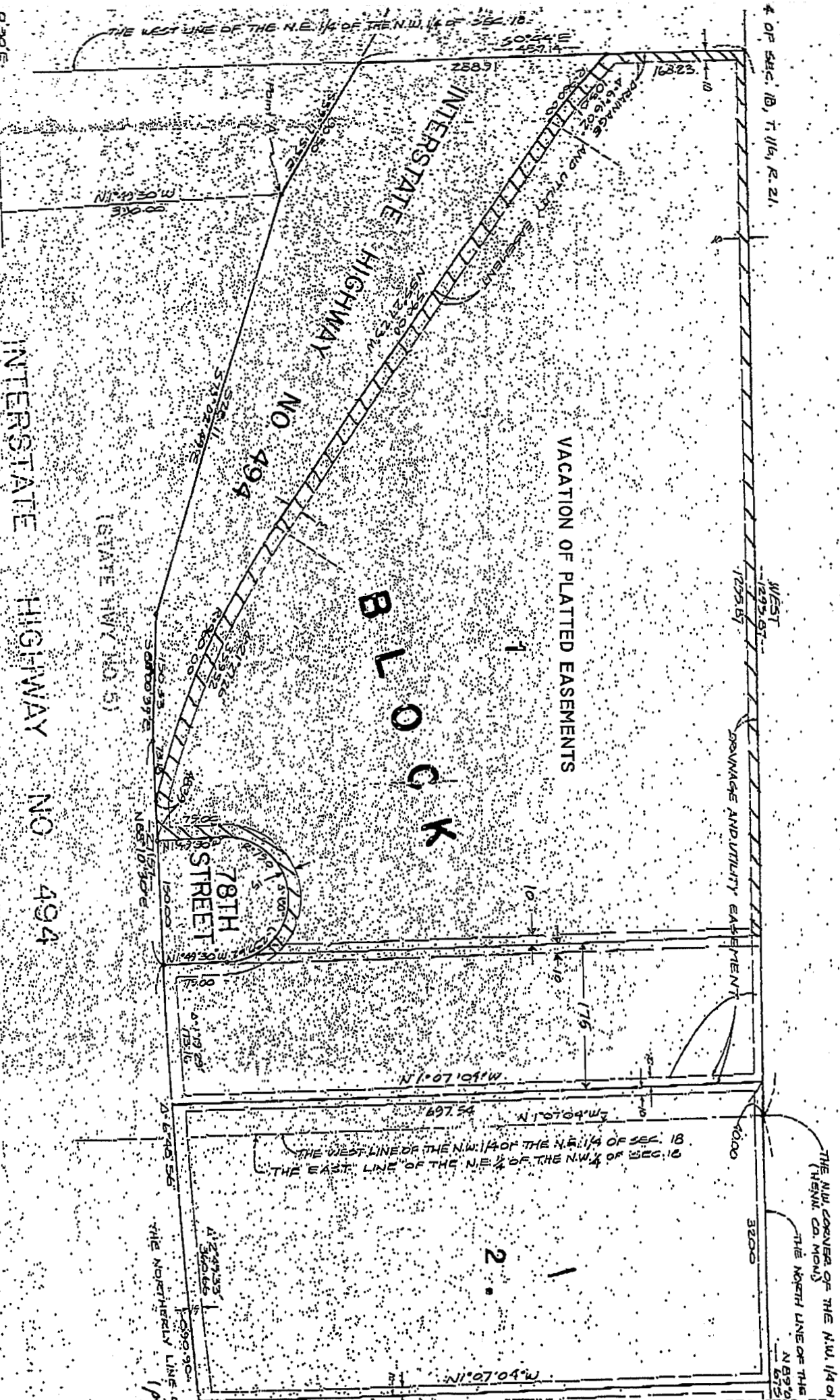
The side lines of said 15-foot strip shall be extended or shortened as necessary to form points of intersection, and to terminate in the westerly line of said Lot 1 and in a line drawn 15 feet northerly from, and parallel to, that portion of the southerly line of said Lot 1 first above described.

STREET VACATION

169/I-694 Office Tower Site
Braewood Park Second Addition

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(Official Publication)
CITY OF EDINA
4801 WEST 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING ON
VACATION OF DRAINAGE AND UTILITY
EASEMENTS AND PUBLIC STREET RIGHT OF WAY
IN THE CITY OF EDINA
HENNEPIN COUNTY MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Minnesota will meet on April 4, 2000, at 7:00 P.M. in the Council Chambers at 4801 West 50th Street for a public hearing for the proposed vacation of the following described public street right of way and utility and drainage easements:

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All persons who desire to be heard with respect to the question of whether or not the above proposed street right of way and utility and drainage vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of such easement, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

Dated March 7, 2000

Please publish in the Edina Sun Current, Wednesday, March 22, 2000.
Send two affidavits of publication

**NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF EASEMENT
FOR UTILITY AND DRAINAGE AND PUBLIC STREET RIGHT-OF-WAY
PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on April 4, 2000, adopted a Resolution Vacating the Easement for Drainage and Utility Purposes after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility and drainage and public street right-of-way purposes:

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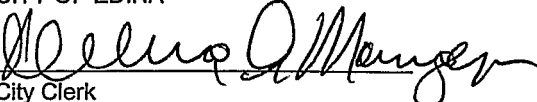
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Said vacation did not affect, and there was continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.


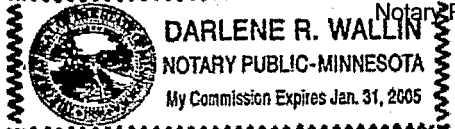
The time of completion of proceedings and the effective date of said vacation is 4th day of April, 2000.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA


City Clerk

Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 14th day of September, 2000.

This document was drafted by:
City of Edina
4801 West 50th Street
Edina, MN 55424



DARLENE R. WALLIN
NOTARY PUBLIC-MINNESOTA
My Commission Expires Jan. 31, 2005

**NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF EASEMENT
FOR UTILITY AND DRAINAGE AND PUBLIC STREET RIGHT-OF-WAY
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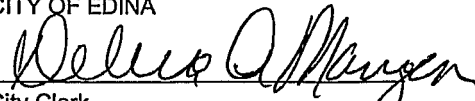
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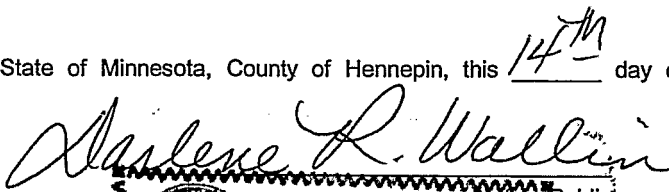
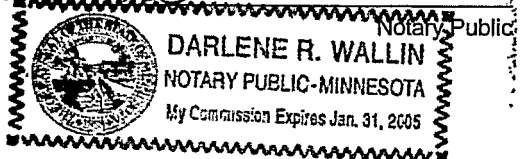
The time of completion of proceedings and the effective date of said vacation is 4th day of April, 2000.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA


City Clerk

Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 14th day of September 2000.

This document was drafted by:
City of Edina
4801 West 50th Street
Edina, MN 55424



**RESOLUTION VACATING UTILITY AND DRAINAGE
EASEMENTS AND PUBLIC STREET RIGHT-OF-WAY**

City of Edina

WHEREAS, a motion of the City Council, on the 6th day of March 2000, fixed a date for a public hearing on a proposed street vacation; and

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was held on the 4th day of April, 2000, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said public street and easement vacation be made; and

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following public street right-of-way, and utility and drainage easements are hereby vacated effective as of April 4, 2000:

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RESOLUTION NO. 2000-37

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BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

ATTEST: _____
City Clerk

Albert F. Mactzold
Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of April 4, 2000, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 20____.

City Clerk



**RESOLUTION VACATING UTILITY AND DRAINAGE
EASEMENTS AND PUBLIC STREET RIGHT-OF-WAY**

City of Edina

WHEREAS, a motion of the City Council, on the 6th day of March 2000, fixed a date for a public hearing on a proposed street vacation; and

WHEREAS, two weeks published and posted notice of said hearing was given and the hearing was held on the 4th day of April, 2000, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said public street and easement vacation be made; and

WHEREAS, the Council considered the extent the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric, telephone or cable television poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following public street right-of-way, and utility and drainage easements are hereby vacated effective as of April 4, 2000:

All drainage and utility easements, created by the plat of Braewood Park, which are contained within the following: Lot 1, except the Easterly 175 feet thereof, Block 1, Braewood Park;

Part of that certain drainage and utility easement, created by Document No. 1456628 of record in Hennepin County, Minnesota, being the West 10 feet of the East 185 feet of Lot 1, Block 1, Braewood Park;

All of 78th Street, as dedicated in Braewood Park, according to the plat thereof of record in Hennepin County, Minnesota, which lies northerly of the following described line:

Commencing at the southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along a southerly line of said Lot, and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to the intersection of said southerly line with the easterly line of said 78th Street, being the point of beginning of the line to be described; then South 88 degrees 10 minutes 30 seconds West 150.00 feet to the intersection of the westerly line of said 78th Street with the southerly line of said Lot, and there terminating.

RESOLUTION NO. 2000-37

BE IT FURTHER RESOLVED that said vacation does not affect, and there are continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

The authority of Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the County Recorder, in accordance with Minnesota Statutes, Section 412.851.

ATTEST: _____
City Clerk

Robert Maitzold
Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of April 4, 2000, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 20____.

City Clerk



City Of Edina, Minnesota
DEPARTMENT OF ADMINISTRATION
4801 West 50th Street, Edina, Minnesota 55424-1394
Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

PUBLIC RIGHT OF WAY VACATION APPLICATION

Applicant City of Edina
Print Name

Address 4801 West 50th Street, Edina, MN 55424
Street City/State Zip

Telephone No. 927-8861 Fax No. 826-0390

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way pursuant to M.S. 412.851 and Edina Code Section 820:

☒ Street ☐ Alley ☒ Utility Easement
☐ Drainage Easement ☐ Other _____

Legal description of the area proposed to be vacated:
As per attached description from John V. Chaffee Clark Engineering

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water? ☐ Yes ☐ No

Please note if the area requested to be vacated terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition is served by certified mail upon the commissioner of natural resources by the City of Edina thirty days before any Council action.

- Attach a copy of a scaled drawing showing in full detail the area proposed to be vacated.
- Include the vacation fee of \$310.00 with your application.

Date Initiated 3-15-00 Signature *Robert Feyler*

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date March 23, 2000, acting on behalf of said City I deposited in the United States mail copies of the attached: Notice of Public Hearing - Vacation of Public Utility Easement (Exhibit A) enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

WITNESS my hand and seal of said City this 23rd day of March, 2000.


Edina City Clerk

MAILING LIST FOR VACATION AS PER GORDON HUGHES 3/23/00

John Donnelly
Frauenshuh Companies
7101 West 78th Street, Suite 160
Bloomington, MN 55439

Jim Kirchner
MnDOT
Waters Edge
1500 West Co. Rd. B2
Roseville, MN 55113-3105

CLARKENGINEERING
CORPORATION

CEC # C99155

FACSIMILE
LETTER

FROM:

John V. Chaffee

Clark Engineering Corporation

621 Lilac Drive North

Minneapolis, Minnesota 55422-4674

(612) 545-9196

Fax: (612) 525-1666

TO:

Craig Larson

City of Edina

Fax: 952-826-0390

PROJECT:

Braewood Park Second Addition.

LOCATION:

TH 169 & I-494

DATE: Mar. 1, 2000

TIME:

TOTAL NO. OF PAGES INCLUDING THIS PAGE 6 ORIGINAL TO FOLLOW IN MAIL on requestIF YOU DO NOT RECEIVE ALL THE PAGES OR IF THE TRANSMISSION IS NOT LEGIBLE,
PLEASE CALL BACK AS SOON AS POSSIBLE.

REMARKS:

Mr. Larson—

As discussed previously, we propose that all existing City easements on the above site be vacated. These consist of the following:

- Drainage and utility easements created by the plat of Braewood Park contained within the site, which is described as: Lot 1, except the Easterly 175 feet thereof, Braewood Park.
- Sidewalk and Bikeway Easement created by Doc. No. 1437667. — done by Bloomington.
- Drainage and Utility Easement created by Doc. No. 1456628.

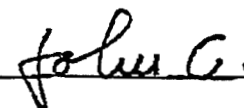
These easements generally do not fit the new site configuration. It is proposed to dedicate new drainage and utility easements in platting the site. If a new sidewalk and bikeway easement is needed, that will be dedicated by a separate document.

Legal descriptions for these vacations and for the proposed vacation of the 78th Street cul-de-sac are attached, with sketches showing their locations.

Thanks for your assistance with this matter. Please call if any questions.

COPIES TO:

SIGNED:



EASEMENT VACATIONS

169/I-694 Office Tower Site
Braewood Park Second Addition

1. All drainage and utility easements, created by the plat of Braewood Park, which are contained within the following:

Lot 1, except the Easterly 175 feet thereof, Block 1, Braewood Park

2. Part of that certain drainage and utility easement, created by Document No. 1456628, of record in Hennepin County, Minnesota, being the West 10 feet of the East 185 feet of Lot 1, Block 1, Braewood Park.

- ~~3.~~ Part of that certain sidewalk and bikeway easement, created by Document No. 1437667, of record in Hennepin County, Minnesota, being a 15-foot wide strip of land lying to the right of the following described line:

Commencing at the Southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along a southerly line of said Lot, and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to an intersection with the easterly line of 78th Street; thence, along said easterly line, North 1 degree 49 minutes 30 seconds West 15.00 feet to the point of beginning of the line to be described; thence continuing along said easterly line North 1 degree 49 minutes 30 seconds West 60.00 feet to a point of curvature therein; thence, along the northerly line of said 78th Street and along a curve, concave southerly and having a radius of 75.00 feet and a central angle of 180 degrees 00 minutes 00 seconds, an arc distance of 235.62 feet to a point of tangency; thence, along the westerly line of said 78th Street, South 1 degree 49 minutes 30 seconds East 75.00 feet; thence, along the southerly line of said Lot, South 88 degrees 10 minutes 31 seconds West 48.39 feet to a point of nontangency; thence continuing along said southerly line and along a curve, concave northerly and having a radius of 960.00 feet, a central angle of 21 degrees 27 minutes 30 seconds and a chord of 357.44 feet bearing North 66 degrees 11 minutes 06 seconds West, an arc distance of 359.54 feet to a point of tangency; thence continuing along said southerly line North 55 degrees 27 minutes 22 seconds West 589.99 feet to a point of curvature; thence continuing along said southerly line and along a curve, concave northerly and having a radius of 960.00 feet and a central angle of 6 degrees 14 minutes 56 seconds, an arc distance of 104.70 feet to the Southwest corner of said Lot, and there terminating;

The side lines of said 15-foot strip shall be extended or shortened as necessary to form points of intersection, and to terminate in the westerly line of said Lot 1 and in a line drawn 15 feet northerly from, and parallel to, that portion of the southerly line of said Lot 1 first above described.

STREET VACATION

169/I-694 Office Tower Site
Braewood Park Second Addition

All of 78th Street, as dedicated in Braewood Park, according to the plat thereof of record in Hennepin County, Minnesota, which lies northerly of the following described line:

Commencing at the Southeast corner of Lot 1, Block 1, Braewood Park; thence westerly along a southerly line of said Lot, and along a curve concave northerly and having a radius of 7489.44 feet, a central angle of 1 degree 19 minutes 29 seconds and a chord of 173.16 feet bearing South 87 degrees 30 minutes 47 seconds West, an arc distance of 173.16 feet to the intersection of said southerly line with the easterly line of said 78th Street, being the point of beginning of the line to be described; thence South 88 degrees 10 minutes 30 seconds West 150.00 feet to the intersection of the westerly line of said 78th Street with the southerly line of said Lot, and there terminating.



City of Edina

March 17, 2000

Mr. Patrick Cline
Northern States Power Company
5309 West 70th Street
Edina, MN 55435

Re: Vacation of Utility Easements & West 78th Street Right-of-Way, TH 169 & I-494

Dear Patrick:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on April 4, 2000. I would very much appreciate your response by Tuesday March 28, 2000, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,


Debra Mungen
City Clerk

Enclosures



City of Edina

March 17, 2000

Mr. Darrell Perkins
U.S. West Communications
6244 Cedar Avenue So.
Richfield, MN 55423

Re: Vacation of Utility Easements & West 78th Street Right-of-Way, TH 169 & I-494

Dear Darrell:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on April 4, 2000. I would very much appreciate your response by Tuesday March 28, 2000, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,


Debra Mangen
City Clerk

Enclosures



City of Edina

March 17, 2000

Mr. Steven Von Bargen
Minnegasco, Inc.
P.O. Box 1165
Minneapolis, MN 55440-1165

Re: Vacation of Utility Easements & West 78th Street Right-of-Way, TH 169 & I-494

Dear Steven:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on April 4, 2000. I would very much appreciate your response by Tuesday March 28, 2000, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

Debra Manger
Debra Manger
City Clerk

Enclosures



City of Edina

March 17, 2000

Mr. Andrew Dols
Paragon Cable
10210 Crosstown Circle
Eden Prairie, MN 55435-3377

Re: Vacation of Utility Easements & West 78th Street Right-of-Way, TH 169 & I-494

Dear Andrew:

I am sending copies of the public hearing notices, exhibits from the vacation request, and an Edina check off sheet for both above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on April 4, 2000. I would very much appreciate your response by Tuesday March 28, 2000, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,


Debra Mangen
City Clerk

Enclosures



City Of Edina, Minnesota

DEPARTMENT OF ADMINISTRATION

4801 West 50th Street, Edina, Minnesota 55424-1394

Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: T.H. 169 & I-494

City Engineer by [Signature] ☐ Acceptable ☐ Opposed ☒ Conditional

Minnegasco by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Paragon Cable by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. West by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions:

Subject to Temp easement retention of
sur-faced area of current sub de-salt
and relocating of driveway for 80' W 78' 13"

Location:

Braemar Park Plot

Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424
Telephone: 826-0408
Fax: 826-0390



City Of Edina, Minnesota

DEPARTMENT OF ADMINISTRATION

4801 West 50th Street, Edina, Minnesota 55424-1394

Phone • (612) 927-8861 TDD • (612) 826-0379 Fax • (612) 826-0390

STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: T.H. 169 & I-494

City Engineer by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

3-20-00

Minnegasco by Steve H. Ryan ☒ Acceptable ☐ Opposed ☐ Conditional

NSP by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Paragon Cable by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. West by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

Conditions:

Location:

Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to:

City Clerk
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Edina, MN 55424
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Fax: 826-0390



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STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: T.H. 169 & I-494

City Engineer by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by <u>Greg Heppner</u>	<input type="checkbox"/> Acceptable	<input checked="" type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Paragon Cable by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
U.S. West by _____	<input type="checkbox"/> Acceptable		<input type="checkbox"/> Conditional

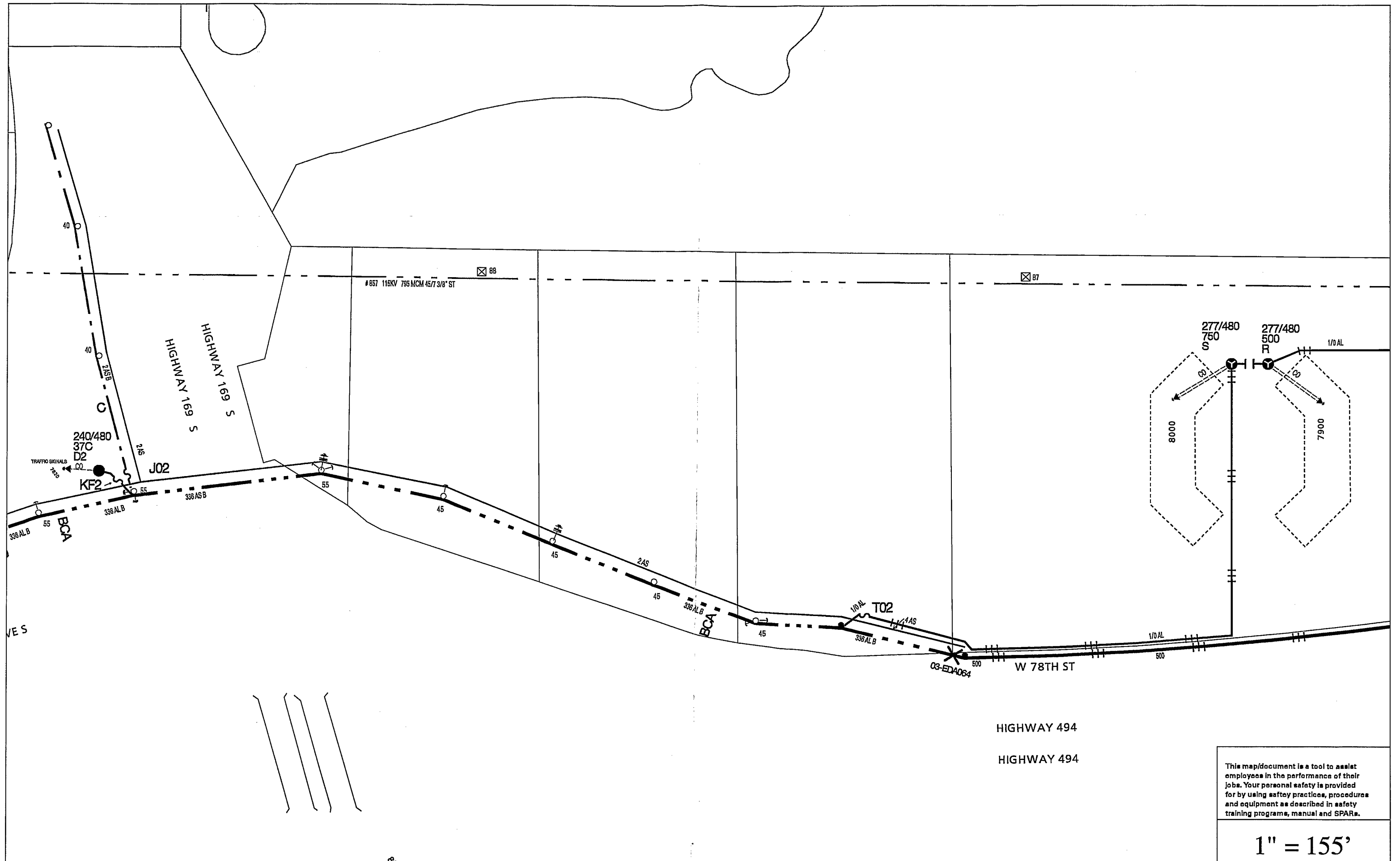
Conditions: _____

Location: _____

*Pat
All copy
of GIS
map
Greg*

Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to: City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424
Telephone: 826-0408
Fax: 826-0390



This map/document is a tool to assist employees in the performance of their jobs. Your personal safety is provided for by using safety practices, procedures and equipment as described in safety training programs, manual and SPARs.

1" = 155'



City Of Edina, Minnesota

DEPARTMENT OF ADMINISTRATION

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STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: T.H. 169 & I-494

City Engineer by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Paragon Cable by <u>Andy Dols</u>	<input type="checkbox"/> Acceptable	<input checked="" type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
U.S. West by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions:

Location:

We have Fiber optic's running on the frontage Rd, therefore
we are opposed to this vacate, due to the tremendous cost
and inconvenience to Time Warner and our customers.

Please sign and return indicating receipt of notice. Thank you for your cooperation.

Return to:

City Clerk
City of Edina
4801 W. 50th Street
Edina, MN 55424
Telephone: 826-0408
Fax: 826-0390



City Of Edina, Minnesota

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STREET AND/OR EASEMENT VACATION REVIEW

Proposed Property/Area To Be Vacated: T.H. 169 & I-494

City Engineer by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Minnegasco by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
NSP by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
Paragon Cable by _____	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional
U.S. West by <u>W.R. Utend</u>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Opposed	<input type="checkbox"/> Conditional

Conditions:

Location:

Please sign and return indicating receipt of notice. Thank you for your cooperation.

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 Telephone: 826-0408
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